

PATENT
Customer No. 22,852
Attorney Docket No. 09641.0011-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage of International Application No.)
PCT/GB2004/004401 of: SMITH et al.)
)
Application No.: 10/576,358) Group Art Unit: 1651
)
PCT Application Filed: 15 October 2004) Examiner: Lora E. Bernhart
)
§ 371 date: January 24, 2007) Confirmation No.: 1585
)
For: IMPROVED CONTROL OF ES CELL SELF)
RENEWAL AND LINEAGE SPECIFICATION,)
AND MEDIUM THEREFOR)

Commissioner for Patents (via EFS web)
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated March 6, 2009, the Examiner required
restriction under 35 U.S.C. § 121 between:

- Group I Claims 1-16, 28, and 29, drawn to a method of using an Id (inhibitor of DNA binding) gene product comprising culturing the cells in a medium containing Id;
- Group II Claims 17-22 and 31-38, drawn to a medium containing and Id activator and a gp130 activator and a method of using the same comprising culturing pluripotent cells in such a medium;
- Group III Claims 23-27 and 31-38, drawn to a method of using a medium comprising an agent that increases Id activity in cells cultured therein; or
- Group IV Claim 30, drawn to a pluripotent cell.

Applicants elect to prosecute Group I, claims 1-16, 28, and 29, drawn to drawn to a method of using an Id (inhibitor of DNA binding) gene product comprising culturing the cells in a medium containing Id.

The Examiner also required the following species elections within Group I:

Genetic state of cells cultured in Groups I-III: (a) genetically altered to include exogenous DNA and (b) not genetically altered to include exogenous DNA, as in claims 9-14, 20, 28, 37, and 38; and

Cytokines in Group I: (c) LIF, (d) CNTF, (e) cardiotrophin, (f) oncostatin M, and (g) a combination of IL-6 plus sIL-6 receptor, as in claim 16.

As the genetic state of cells, applicants elect (a), cells genetically altered to include exogenous DNA. As the cytokine, applicants elect (c), LIF.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 27, 2009

By: *Adam Breier*

Adam M. Breier, Ph.D.

Reg. No. 63,718